

**INVENTOR'S DECLARATION FOR  
PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**MEMS DEVICE HAVING COMPACT ACTUATOR**

the specification of which: (check one)

  X   is attached hereto.  
  
       was filed on \_\_\_\_\_  
under Attorney's Docket Number \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

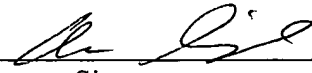
\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

We hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

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Dated: 01/09/2004

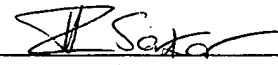
  
Inventor Signature

Dated: 1/20/04

Ava Humphrey  
Witness Signature  
Witness Name: Ava Humphrey

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Dated: January 20, 2004

  
Inventor Signature

Dated: 1/20/04

Ava Humphrey  
Witness Signature  
Witness Name: Ava Humphrey

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
Aaron Geisberger	§	Group Art Unit:
Serial No.	§	
	§	Examiner:
Filed:	§	
	§	
For: MEMS DEVICE HAVING COMPACT	§	
ACTUATOR	§	

POWER OF ATTORNEY FOR PATENT APPLICATION

As a representative of the Assignee, Zyvex Corporation, a corporation, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

David L. McCombs (Reg. No. 32,271); Jeffrey M. Becker (Reg. No. 35,442); James R. Bell (Reg. No. 26,528); Timothy F. Bliss (Reg. No. 50,925); Randall C. Brown (Reg. No. 31,213); Randall E. Colson (Reg. No. 40,566); Michael A. Davis, Jr. (Reg. No. 35,488); Andrew S. Ehmke (Reg. No. 50,271); Priscilla Ferguson (Reg. No. 42,531); Sarah T. Harris (Reg. No. 35,891); Alan Herda (Reg. No. 50,426); William E. Hickman (Reg. No. 46,771); Dave R. Hofman (Reg. No. P-55,272); Rita M. Irani (Reg. No. 31,028); Mark P. Kahler (Reg. No. 29,178); Warren B. Kice (Reg. No. 22,732); J. Andrew Lowes (Reg. No. 40,706); Todd Mattingly (Reg. No. 40,298); Julie Nickols (Reg. No. 50,826); Gloria Norberg (Reg. No. 36,706); David M. O'Dell (Reg. No. 42,044); and Richard V. Wells (Reg. No. 53,757).

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The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application identified above. A copy of the assignment or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee.

1/20/04  
Date

ZYVEX CORPORATION

By: [Signature]  
Timothy M. Gilmore

Signature

CFO  
Title